

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul F. Dietrich et al.
U.S. Application Serial No.: 10/611,660
Filing Date: June 30, 2003
Examiner: Kevin C. Harper
Group No.: 2616
Notice of Allowance Mailed: July 11, 2008
Confirmation No.: 1980
Title: CONTAINMENT OF ROGUE SYSTEMS IN
WIRELESS NETWORK ENVIRONMENTS

Box Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

**REQUEST FOR CONSIDERATION OF AN INFORMATION
DISCLOSURE STATEMENT SUBMITTED BEFORE
MAILING OF THE NOTICE OF ALLOWANCE**

For reasons set forth below, it is respectfully requested that this Request for Consideration of an Information Disclosure Statement Submitted Before Mailing of the Notice of Allowance for this application be promptly forwarded to Examiner Kevin Harper, for confirmation that the references listed on PTO-1449 attached to the Information Disclosure Statement filed May 16, 2007 have been considered.

On May 16, 2007, Applicants electronically filed an Information Disclosure Statement (IDS) with PTO-1449 form (three (3) pages) attached, listing the references submitted for consideration. This IDS was received at the U.S. Patent and Trademark Office on May 16, 2007 as shown on the Acknowledgement Receipt, copy of which is attached. For the convenience of the Examiner, a copy of the Information Disclosure Statement and the PTO-1449 form filed May 16, 2007 is attached.

The Notice of Allowability for this application was mailed on July 11, 2008. However, Examiner Harper has not returned a copy of the PTO-1449 form indicating consideration of the references cited in the Information Disclosure Statement filed May 16, 2007.

Accordingly, **Applicants hereby request confirmation of consideration of the previously filed Information Disclosure Statement.** Examiner Harper is requested to initial the references listed on the PTO-1449 form to show that they were appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.

Attorneys for Applicants



Mark J. Spolyar
Reg. No. 42,164

CUSTOMER NO. 05073

Enclosures: Copy of Information Disclosure Statement filed May 16, 2007
with Form PTO-1449;
Copy of acknowledgment receipt showing
date stamp of May 16, 2007.

Acknowledgement Receipt

The USPTO has received your submission at **15:52:32** Eastern Time on **16-MAY-2007**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

eFiled Application Information

EFS ID	1781877
Application Number	10611660
Confirmation Number	1980
Title	Containment of rogue systems in wireless network environments
First Named Inventor	Paul F. Dietrich
Customer Number or Correspondence Address	30505
Filed By	Mark James Spolyar
Attorney Docket Number	6561/53769
Filing Date	30-JUN-2003
Receipt Date	16-MAY-2007
Application Type	Utility

Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
53769_IDS_16may07.pdf	4		1112038 bytes	◆ PASS
		Document Description	Page Start	Page End
		Miscellaneous Incoming Letter	1	1
		Information Disclosure Statement (IDS) Filed	2	4

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

If you need help:

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.*
- *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
- *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.*

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/611,660
		Filing Date	Jun 30, 2003
		First Named Inventor	Dietrich, Paul F.
		Art Unit	2661
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	6561/53769

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <input type="text"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Law Office of Mark J. Spolyar		
Signature	/Mark James Spolyar/		
Printed name	Mark James Spolyar		
Date	May 16, 2007	Reg. No.	42164

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Mark James Spolyar	Date	May 16, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Applicant(s): Dietrich Serial No.: 10/611,660 Filed: 6/30/2003 Title: Containment of Rogue Systems in Wireless Network Environments Attorney Docket No.: 6561/53769	Group Art Unit: 2661 Examiner:
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Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted:

- X under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- under 37 CFR 1.97(c) together with either a:
 Statement under 37 CFR 1.97(e), or
 a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- under 37 CFR 1.97(d) together with a:
 Statement under 37 CFR 1.97(e), and
 a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)
- Statement under 37 CFR 1.97(e): Applicant states That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

X Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

Applicant does not admit that the references, included in this Information Disclosure Statement, constitute prior art under the relevant statutes.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

/Mark J. Spolyar/

Mark J. Spolyar
Agent for Applicant(s)
Reg. No. 42,164

Date: May 16, 2007

Telephone No.: 415-826-7966